



In the Supreme Court
OF THE
United States

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OCTOBER TERM, 1943

No. 491

BENGUET CONSOLIDATED MINING COMPANY

(a corporation),

Petitioner,

vs.

IDONAH SLADE PERKINS, SAMUEL I. HARTMAN,
as Receiver, HARTFORD BEAUMONT and
GEORGE A. FERRIS,

Respondents.

**BRIEF FOR RESPONDENTS IN OPPOSITION TO PETITION
FOR WRIT OF CERTIORARI.**

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To the Honorable Harlan Fiske Stone, Chief Justice
of the United States, and to the Associate Justices
of the Supreme Court of the United States:

As petitioner's counsel say on page 5 of the present petition, under the heading "Questions Presented", the questions presented in this petition are identical with those presented in their petition in cause No. 968, October Term, 1942. The petition in said cause No. 968 was denied by this Court on June 14, 1943.

The questions here presented were therefore discussed by us in our "Brief for Respondents" filed in opposition to the earlier petition, to which reference is hereby made, in lieu of an answer to the present petition.

For respondents' position with reference to the expressed fear of petitioner, that the original petition, filed in cause No. 968, October Term, 1942, was premature (because the judgment had theretofore been modified by the California Appellate Court, through the elimination of an item of interest contained in the judgment) we refer to "Brief for Respondent, Idonah Slade Perkins, in Opposition to Petition for Rehearing of Order Denying a Writ of Certiorari", which was filed with this Court on September 29, 1943, under said earlier cause numbered 968, October Term, 1942.

Dated, San Francisco, California,
December 3, 1943.

Respectfully submitted,
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HIRAM W. JOHNSON,
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